



AUG 30 1999

Dear Colleague:

As you know, on July 20 the Institute of Medicine (IOM) released its report Organ Procurement and Transplantation: Assessing Current Policies and the Potential Impact of the HHS Final Rule. While there have already been a number of articles in the press and letters clarifying the Report, I wanted to urge each of you to review the IOM materials directly before reaching any conclusions.

The IOM Report was requested by Congress in its fiscal year 1999 appropriation bill for the Department of Health and Human Services (HHS). The Congress asked the IOM to address several features of the U.S. transplant system and evaluate the impact of the HHS regulation published on April 2, 1998, governing the operation of the Organ Procurement and Transplantation Network. I have enclosed the IOM's summary materials for the Report and ask that you look to them both for the tone and direction given by the IOM in its review. A letter sent by Secretary Shalala to all members of Congress discussing this issue also is enclosed. The National Academy of Sciences Website, <http://books.nap.edu/catalog/9628.html>, contains the entire IOM Report.

I, along with other HHS staff, have been meeting with representatives of the transplant community on an ongoing basis since the regulation was issued. Based on those meetings, as well as written comments submitted in response to the HHS regulation and the IOM recommendations, I intend to move vigorously, in cooperation with the transplant community, to put a modified final regulation in place and to bring about the changes in the regulation that could and should be made. This intention has been communicated in writing to the transplant organizations we have met with to date. I am committed to achieving a Federal policy that improves the system for patients while keeping medical decision making in the hands of transplant professionals.

Sincerely,

A handwritten signature in black ink, appearing to read "CE Fox", is written over a horizontal line.

Claude Earl Fox, M.D., M.P.H.
Administrator

Enclosures